
**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

JAMES A. SUTTON III,

Plaintiff,

vs.

CASE NO. 1:12-cv-00728-RJA

SKY RECOVERY SERVICES, LTD.,

Defendant.

NOTICE OF VOLUNTARY DISMISSAL

COMES NOW, Plaintiff, JAMES A. SUTTON III, by and through his undersigned counsel, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, and hereby voluntarily dismisses this action with prejudice.

Dated this 18th day of September, 2012.

s/ James S. Giardina
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